

is based on involuntary separation for reasons other than age or misconduct or delinquency becomes employed after November 14, 1958, the Commission shall continue his annuity; the department or agency shall not take retirement deductions from his pay; and the department or agency shall deduct from his pay, except for lump-sum leave purposes, an amount equal to the annuity allocable to the period of actual employment.

(d) When an annuitant, other than an annuitant described in the first sentence of paragraph (c) of this section, becomes employed after September 30, 1956, in an appointive or elective position:

(1) The Commission shall continue his annuity;

(2) The department or agency shall not take retirement deductions from his pay; and

(3) The department or agency shall deduct from his pay, except for lump-sum leave purposes, an amount equal to the annuity allocable to the period of actual employment.

When such an annuitant, who was serving on July 31, 1956, or becomes employed after September 30, 1956, serves continuously for at least one year in full-time employment not excluded from coverage by section 8331(1)(i) and (ii) of title 5, United States Code, he is entitled to a supplemental annuity on termination of the employment by separation for more than three calendar days or by conversion to other than full-time status. The supplemental annuity is (i) computed under the formula provided by the law in effect at the date of termination of employment, (ii) based on all periods of full-time employment performed after his retirement, with such periods considered as part of his total service, and (iii) based on the average basic pay (before annuity deduction) received during the periods of full-time employment. If the annuitant serves continuously for at least five years in full-time employment not excluded from coverage by section 8331(1)(i) and (ii) of title 5, United States Code, and his separation therefrom occurs after July 11, 1960, he may make deposit in the retirement fund covering such employment and elect, instead of the supplemental annuity described herein, to have his retirement rights redetermined under the law in effect at separation date. The supple-

mental or redetermined annuity commences the day after (a) separation from such employment, or (b) pay ceases and the annuitant meets the service requirements. Employment is considered continuous unless interrupted by a separation from service exceeding three calendar days, but credit is not allowed for any period of separation or nonpay status which exceeds three calendar days.

SUBPART I. (RESERVED)

SUBPART J. DEATH BENEFITS

Sec. 831.1001 Time for filing applications. A survivor of a deceased employee, Member, or annuitant, or someone acting in his behalf, may file an application for annuity at any time after the death of the employee, Member, or annuitant.

Sec. 831.1002 Effective dates of survivor annuities. (a) A survivor annuity payable from the Civil Service Retirement and Disability Fund commences the day after (1) death of the employee, Member, or annuitant, (2) attainment of age 50 where annuity is so deferred, or (3) claim is received in the Commission when annuity is authorized by section 2 of the act of June 25, 1958, 72 Stat. 218.

(b) A survivor's annuity terminates at the end of the month preceding death or any other terminating event.

(c) Survivor annuity accrues on a daily basis, one-thirtieth of the monthly rate constituting the daily rate, with no accrual for the thirty-first day of any month and with the last day of a 28-day month constituting three days (or the last day of a 29-day month two days) for accrual purposes.

Sec. 831.1003 Designation of beneficiary. (a) The Designation of Beneficiary shall be in writing, signed and witnessed, and received in the Commission before the death of the designator.

(b) No change or cancellation of beneficiary in a last will or testament, or in any other document not witnessed and filed as required by this section, has any force or effect.

(c) A witness to a Designation of Beneficiary is ineligible to receive payment as a beneficiary.

(d) Any person, firm, corporation, or legal entity may be named as beneficiary.